

CLAIM AMENDMENTS

1. (currently amended) A test device for testing of analyte concentration in a fluid to be applied thereto, the device comprising:
 - a) a plurality of test members arranged in at least one stack, each of said test members carrying reagent means for producing an electrical signal in response to ~~the a~~ concentration of analyte in a fluid applied to the reagent means ~~in an applied fluid~~, each of said test members having a plurality of electrode tracks for transmitting said electrical signal;
 - b) a housing having electrodes disposed therein for engaging with the electrode tracks on a test member at an engagement location;
 - c) a meter connected to the said electrodes and disposed at least partly in the housing, the meter having electronics means for producing a signal output which is dependent on the electrical signal from a test member when the test member is engaged with the said electrodes;
 - d) a pusher which is adapted to push a single test member from the stack and into the engagement location where it can engage with the said electrodes and where the test member can be accessed to apply a fluid thereto;
 - e) an actuation member operably connected to the pusher, the ~~said~~ actuation member being operable by a user to move the pusher relative to the housing;
 - f) ~~the or each~~ at least one stack of test members being enclosed in a magazine which is initially sealed by a moisture impermeable seal; and

g) ~~wherein blade means are provided in the housing for breaking~~ slitting the said seal and permitting a test member to be pushed from the magazine by the pusher when the first test member from the said magazine is to be used wherein movement of the magazine relative to the housing from an initial position where the seal is intact to a position where the pusher can push a first one of the test members from the stack thereby causing the blade means to cut the seal to form a slit through which a test member can pass when the test member is pushed by the pusher.

2. (currently amended) A device as claimed in claim 1, wherein the test members are arranged in a plurality of stacks, each ~~one~~ of the stacks being enclosed in a magazine which is initially sealed by a moisture impermeable seal, the magazines being movable relative to the housing so as to enable ~~each in turn~~ the blade means to reach a position in which the pusher can break slit the seal and of each of the magazines in turn as each of the magazines reaches a position at which the pusher can push a test member therefrom.

3. (currently amended) A device as claimed in claim 1, wherein operation of the actuation member causes the pusher to engage with the electrodes and bring ~~them~~ the electrodes into contact with the electrode tracks on the test member when the test member is in the engagement location.

4. (currently amended) A device as claimed in claim ~~[[1]]~~ 3, wherein further operation of the actuation member causes the pusher to push a test member from the engagement location and eject the test member from the housing.
5. (currently amended) A device as claimed in claim 1, wherein ~~blade means~~ are the pusher is provided in the housing with at least one cutting surface for cutting the seal ~~to form a slit through which a test member can pass when pushed by the pusher.~~
6. (currently amended) A device as claimed in claim 5 2, wherein the ~~blade is fixed, and the magazine is movable so that the slit will be cut when the magazine moves~~ housed in a cartridge.
7. (cancelled)
8. (cancelled)
9. (currently amended) A device as claimed in claim 2 6, wherein the cartridge is urged by a spring means towards a ratchet wheel which has a keyway therein, the cartridge being provided with a plurality of spaced apart location pegs for locating in the keyway and the ratchet wheel only permitting entry of a location peg when the ratchet wheel is in a defined orientation relative to the cartridge.

10. (original) A device as claimed in claim 9, wherein operation of the actuating member causes indexing of the ratchet wheel.

11. (original) A device as claimed in claim 1, further comprising a sliding member which has an angled slot therein which provides a cam surface that bears against the pusher, whereby movement of the sliding member in a first direction causes movement of the pusher in a second direction.

12. (currently amended) A device as claimed in claim 1, further comprising a spring means which urge the stack of test members towards the seal.

13. (original) A device as claimed in claim 1, further comprising means for releasably detaining the pusher when the test member is in the engagement location.

14. (currently amended) A device as claimed in claim 1, further comprising a processor and means for initiating a timer ~~at a predetermined time or when a magazine is first opened~~, the processor being programmed to provide a visible ~~warning or~~ message if a magazine which is in use exceeds its shelf life ~~or if unopened magazines exceed their shelf life~~.

15. (currently amended) A ~~test~~ device as claimed in claim 1, wherein the analyte to be tested for is glucose and the fluid to be applied is blood.

16. (currently amended) A test device as claimed in claim 2, wherein the magazines are releasably connected together and wherein the housing has an opening through which used magazines will project.

17. (cancelled)

18. (currently amended) A test device as claimed in claim 1, wherein each test member in the ~~or each~~ at least one stack comprises a base member having a working area to which the fluid is to be applied, the base member containing the reagent means, and each test member having a non-working area adjacent to the working area, wherein the total thickness of the test member in at least a portion of the non-working area is at least as great as the total thickness of the test member in the working area.

19. (currently amended) A test device as claimed in claim 18, wherein the total thickness of the test member in at least a part of the non-working area is greater than the total thickness of the test member in the working area.

20. (new) A device as claimed in claim 1, further comprising a processor and means for initiating a timer when a magazine is first opened, the processor being programmed to provide a visible message if an unopened magazine exceeds a shelf life of the magazine.

DRAWING AMENDMENTS

New formal drawings accompany this Amendment and Response that include changes to Figures 1a-1d and 10a-10b. The new formal drawings of Figures 1-11 replace the originally filed drawings. In Figures 1a-1d and 10a-10b, formal figures in compliance with M.P.E.P. §608.02 have been provided.